

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.

Order of Continuance

ANGEL PEREDA,

21 Mag. 6595

Defendant.

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Upon the application of the United States of America and the affirmation of Samuel L. Raymond, Assistant United States Attorney for the Southern District of New York, it is found that the defendant was charged with a violation of Title 18, United States Code, Section 1343, in a Complaint dated June 29, 2021;

It is further found that the defendant was arrested on July 9, 2021 and presented before Magistrate Judge James L. Cott on July 9, 2021;

It is further found that Federal Defender Marisa Cabrera, Esq., was appointed as defense counsel for purposes of presentment, and the defendant was ordered detained;

It is further found that on or about July 21, 2021, Jeffrey Chabrowe, Esq., entered a notice of appearance as retained counsel for Angel Pereda;

It is further found that on or about July 21, 2021, Jeffrey Chabrowe, Esq., counsel for defendant, consented on the defendant's behalf for an extension of time for a preliminary hearing or indictment, to a full 30 days from the date of arrest, namely August 9, 2021 (the 30th day from arrest is August 8, 2021, a Sunday);

It is further found that on or about August 9, 2021, the Honorable Debra Freeman issued an Order of Continuance, delaying the date for the Government to file an indictment or

information to on or before September 8, 2021;

It is further found that on or about September 8, 2021, the Honorable Stewart D. Aaron issued an Order of Continuance, delaying the date for the Government to file an indictment or information to on or before October 8, 2021;

It is further found that on or about October 8, 2021, the Honorable Katharine H. Parker issued an Order of Continuance, delaying the date for the Government to file an indictment or information to on or before November 8, 2021;

It is further found that on or about November 8, 2021, the Honorable Kevin Nathaniel Fox issued an Order of Continuance, delaying the date for the Government to file an indictment or information to on or before December 8, 2021;

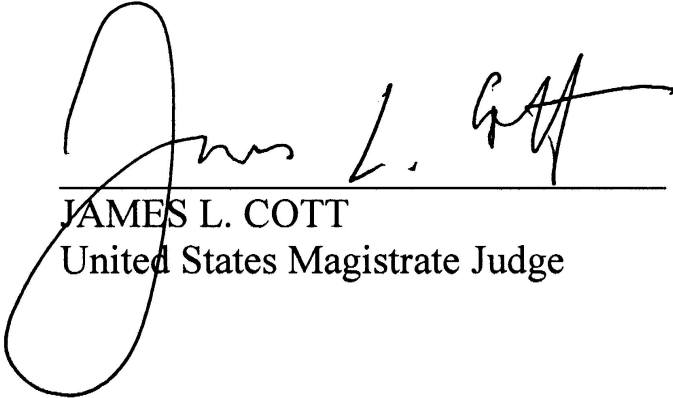
It is further found that Jeffrey Chabrowe, Esq., counsel for defendant, and Assistant United States Attorney Samuel L. Raymond have engaged in discussions concerning a possible disposition of this case and are continuing discussions concerning a possible disposition of this case;

It is further found that the Government has requested a continuance to engage in further discussions with defense counsel about the disposition of this case and that the defendant, through counsel, has consented to such a continuance and has specifically waived his right to be charged in an indictment or information for an additional period not to exceed 30 days;

It is further found that the granting of such a continuance best serves the ends of justice and outweighs the best interests of the public and the defendant in a speedy trial;

ORDERED that the request for a continuance pursuant to 18 U.S.C. § 3161(h)(7)(A) is hereby granted until January 7, 2022, and that a copy of this Order and the affirmation of Assistant United States Attorney Samuel L. Raymond be served by mail on this date on counsel for the defendant by the United States Attorney's Office.

Dated: New York, New York
December 8, 2021



A handwritten signature in black ink, appearing to read "James L. Cott", is written over a horizontal line. Below the line, the name "JAMES L. COTT" and the title "United States Magistrate Judge" are printed in a black, sans-serif font.

JAMES L. COTT
United States Magistrate Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.

**Affirmation in Support of
Application for Order of Continuance**

ANGEL PEREDA,

21 Mag. 6595

Defendant.

-----X

Samuel L. Raymond, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury:

1. I am an Assistant United States Attorney in the Office of Audrey Strauss, Acting United States Attorney for the Southern District of New York. I submit this affirmation in support of an application for an order of continuance of the time for a preliminary hearing or within which an indictment or information would otherwise have to be filed, pursuant to 18 U.S.C. § 3161(h)(7)(A). This is the fifth order of continuance that has been sought.

2. The defendant was charged in a Complaint dated June 29, 2021, with a violation of Title 18, United States Code, Section 1343. The defendant was arrested on July 9, 2021 and presented before Magistrate Judge James L. Cott on July 9, 2021. Marisa Cabrera, Esq., was appointed as defense counsel for purposes of presentment, and the defendant was ordered detained. Under Federal Rule of Criminal Procedure 5.1(c), the defendant did not consent to extend the time limits, which means that the defendant's preliminary hearing must be held by July 23, 2021. On or about July 21, 2021, Jeffrey Chabrowe, Esq., entered a notice of appearance as retained counsel for Angel Pereda.

3. On or about July 21, 2021, Mr. Chabrowe confirmed to me, on behalf of his client for an extension of time for a preliminary hearing or indictment, to a full 30 days from the date of arrest, which is August 9, 2021 (the 30th day from arrest is August 8, 2021, a Sunday). The defendant, through his counsel, waived his right to be charged in an indictment or information until August 9, 2021. On August 9, 2021, the Honorable Debra Freeman, United States Magistrate Judge, issued an Order of Continuance, adjourning the date the Government was required to file an indictment or information to on or before September 8, 2021. On September 8, 2021, after Mr. Chabrowe confirmed to me, on behalf of his client for an extension of time, the Honorable Stewart D. Aaron United States Magistrate Judge, issued an Order of Continuance, adjourning the date the Government was required to file an indictment or information to on or before October 8, 2021. On October 8, 2021, after Mr. Chabrowe confirmed to me, on behalf of his client for an extension of time, the Honorable Katharine H. Parker, United States Magistrate Judge, issued an Order of Continuance, adjourning the date the Government was required to file an indictment or information to on or before November 8, 2021. On November 8, 2021, after Mr. Chabrowe confirmed to me, on behalf of his client for an extension of time, the Honorable Kevin Nathaniel Fox, United States Magistrate Judge, issued an Order of Continuance, adjourning the date the Government was required to file an indictment or information to on or before December 8, 2021.

4. Mr. Chabrowe and I are engaged in discussions concerning a possible disposition of this case and are continuing discussions concerning a possible disposition of this case. The negotiations have not been completed, and we plan to continue our discussions but do not

anticipate a resolution before the deadline under the Speedy Trial Act expires on December 8, 2021.

5. Therefore, the Government is requesting a continuance until January 7, 2022 to continue the aforementioned discussions and reach a disposition of this matter. I have personally communicated with defense counsel and he consents to this request on his client's behalf.

6. For the reasons stated above, the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and defendant in a speedy trial.

Dated: December 7, 2021

/s Samuel L. Raymond
Samuel L. Raymond
Assistant United States Attorney
(212) 637-6519